

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2467**

OFFERED BY M ____.

Strike all after the enacting clause and insert the following:

1 SECTION 1. FINDINGS; SENSE OF CONGRESS.

2 (a) FINDINGS.—Congress finds the following:

(1) On January 19, 2021, the Administrator of the Environmental Protection Agency made a final determination to issue national primary drinking water regulations for PFOA and PFOS under the Safe Drinking Water Act; the Administrator has 24 months from that determination to propose a maximum contaminant level goal and an enforceable drinking water regulation.

(2) On January 19, 2021, the Administrator proposed collecting new PFAS data in public water systems under the fifth Unregulated Contaminant Monitoring Rule (UCMR 5); that data will be used to better understand occurrence and prevalence of 29 PFAS chemicals in drinking water in the United States.

1 (3) On January 19, 2021, the Administrator
2 announced that the Environmental Protection Agen-
3 cy was issuing an Advance Notice of Proposed Rule-
4 making to get public comment to inform the agen-
5 cy's evaluation of further need for additional PFOA
6 and PFOS regulation under the Comprehensive En-
7 vironmental Response, Compensation, and Liability
8 Act of 1980, as well as subjecting PFOA and PFOS
9 and other PFAS chemicals to regulation as haz-
10 ardous waste under the Solid Waste Disposal Act.

11 (4) On December 18, 2020, the Administrator
12 released for public comment new interim guidance
13 that will help protect the public from exposure to
14 these emerging chemicals of concern; specifically, the
15 new interim guidance outlines the current state of
16 the science on techniques and treatments that may
17 be used to destroy or dispose of PFAS and PFAS-
18 containing materials from non-consumer products,
19 including aqueous film-forming foam.

20 (5) On November 22, 2020, the Administrator
21 issued an interim strategy for implementing Feder-
22 ally issued National Pollutant Discharge Elimination
23 System permit requirements for PFAS.

24 (6) On March 17, 2021, based upon wastewater
25 discharge data, the Administrator issued an Advance

1 Notice of Proposed Rulemaking announcing plans to
2 evaluate the need for new effluent limitations guide-
3 lines, pretreatment standards, and new source per-
4 formance standards to address discharges from man-
5 ufacturers and formulators of PFAS.

6 (7) In June 2020, the Administrator issued a
7 final regulation that added a list of 172 PFAS
8 chemicals to Toxics Release Inventory reporting, and
9 on June 10, 2021, the Administrator added three
10 new PFAS chemicals to Toxics Release Inventory re-
11 porting.

12 (8) On April 27, 2021, the Administrator an-
13 nounced that PFAS chemicals could not qualify for
14 an exemption from the Toxic Substances Control Act
15 new chemical or new use review by virtue of the fact
16 that they are made in a “low-volume”.

17 (9) On June 10, 2021, the Administrator pro-
18 posed a rule to gather, within 1 year, comprehensive
19 data on more than 1,000 PFAS chemicals manufac-
20 tured in the United States since 2011.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that using objective, high-quality science, engaging
23 with the larger science community, using transparent
24 processes like notices and public comment opportunities,
25 and taking a measured, informed, and targeted approach

1 has produced a broad response to PFAS by the Environ-
2 mental Protection Agency.

